

UNITED STATES DISTRICT COURT

for the
Southern District of OhioFILED
RICHARD W. NAGEL
CLERK OF COURT

10/20/23

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Priority Mail Package with Tracking Number
9505 5145 3008 3291 4908 29
Postmarked October 18, 2023

Case No.

3:23-mj-446

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Package, 9505 5145 3008 3291 4908 29, addressed to 117 Valley View Dr., Dayton, OH 45405, with a return address of "Jon Wilson", 512 Taft CA, 5th St. 93268 located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the possible distribution of controlled substances through the U.S. Mails, as well as money and/or monetary instruments to pay for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 USC 841(a)(1)	Distribution and possession with intent to distribute a controlled substance.
21 USC 846	Conspiracy to distribute/possess with intent to distribute a controlled substance
21 USC 843(b)	Use of a communication facility to commit a felony

The application is based on these facts:
SEE ATTACHED AFFIDAVIT

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Sean C. Humphrey, USPIS Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone _____ (specify reliable electronic means).

Date: 10/20/23

City and state: Dayton, OH

Peter B. Silvain, Jr.
United States Magistrate Judge

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Sean C. Humphrey, being first duly sworn, hereby depose and state as follows:

1. I have been a Task Force Officer with the United States Postal Inspection Service since November 2022. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for Southern District of Ohio. I also am employed by the Dayton Police Department and have been so since July of 2008. I have been assigned to Patrol Operations and am currently assigned to the Narcotics Bureau - Montgomery County Regional Agencies Narcotics and Gun Enforcement (RANGE) Task Force. I have extensive prior experience in investigating drug cases that resulted in successful prosecution of persons involved in trafficking of drugs, possession of drugs and other related offenses. I have been involved in narcotics related arrests, executed search warrants that resulted in the seizure of narcotics and participated in undercover narcotics purchases. Through training and experience, I am familiar with the manner in which persons involved in the illicit distribution and sales of controlled substances often operate. These subjects usually attempt to conceal their identities, as well as the locations at which they reside and where they store controlled substances and the illegal proceeds derived there from. Through training and experience, I am familiar with the practices of narcotics distributors and sellers, whereby they attempt to conceal the true nature, source and location of proceeds of illegal activity, commonly referred to as money laundering. Part of my responsibility involves investigating the illicit use of the United States Mails in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

2. Based on my prior training as well as my current experience as a Task Force Officer with the United States Postal Inspection Service, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport drugs and/or drug proceeds. Additionally, through prior investigations, law enforcement training, and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned certain common characteristics and/or circumstances that indicate that a particular package may contain drugs and/or drug proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses

different post offices on the same day to send packages, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanate from the package, and the listed address is located in an area of known or suspected drug activity.

3. On or about October 20, 2023, the U.S. Postal Inspection Service intercepted a package (hereinafter “the Package”) at the Cincinnati Network Distribution Center in Cincinnati, Ohio. The Package is a white USPS Priority Mail flat rate box bearing tracking number 9505 5145 3008 3291 4908 29 mailed from Post Office 93268, located in Taft, California, which is in the Bakersfield, California metropolitan area, postmarked October 18, 2023, with the following address information:

Sender: Jon Wilson
512 Taft CA
5th st 93268

Addressee: 117 Valley View DR
Dayton Ohio 45405

Through training and experience as a Task Force Officer with U.S. Postal Inspection Service, I know that the Bakersfield, California metro area has been long known to be a drug source location.

4. I was unable to perform a check in CLEAR for the recipient’s information since no name was listed on the Package for the recipient. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. Based on my training and experience, I know that, when sending contraband such as drugs through the mail, drug traffickers often provide false or incomplete information concerning a package’s recipient in an effort to conceal the identity of participants in the drug operation.

5. I was able to perform a check in CLEAR for the sender’s information listed on the Package of “Jon Wilson, 512 Taft Ca, 5th st 93268”. According to CLEAR, there is no “Jon Wilson” associated with 512 5th St., Taft, CA 93268. (I queried 512 5th Street as it appears that the sender transposed on the mailing label the street address of 5th Street with the city address of

Taft, California.) As noted above, drug traffickers frequently use fictitious names on a package to conceal their true identities from law enforcement.

6. On or about October 20, 2023, at the request of the U.S. Postal Inspection Service, K9 Detective Jeremy Stewart of the Dayton Police Department conducted a narcotics-detection canine “free air” check of the outside of the Package. An Inspector/TFO was present during this check. Prior to conducting the “free air” check, the Package was placed in a room with multiple similar and like packages. As set forth in the attached affidavit of K9 Detective Stewart, “Weston” alerted positively for the presence or odor of a narcotic or other controlled substance exuding from the Package. “Weston” is a properly trained and certified narcotics-detection canine.

7. Based on my prior law enforcement training as well as experience as a Task Force Officer for the United States Postal Inspection Service, the address information on the Package (including the failure to provide full and accurate information concerning its sender and recipient), the Package’s origination from a known source area for controlled substances, and the positive alert to the Package by a trained and certified drug dog, I believe that there is probable cause to believe that the Package contains controlled substances or drug proceeds. Therefore, a search warrant to open the Package is requested.

Further, your affiant sayeth naught.

Respectfully submitted,

Sean C. Humphrey

Sean C. Humphrey

Task Force Officer

United States Postal Inspection Service

Subscribed and sworn to and before me this 20th day of October, 2023.

Peter B. Silvain, Jr.
Peter B. Silvain, Jr.
United States Magistrate Judge

The seal of the United States District Court for the Southern District of Ohio is circular. It features an eagle with spread wings perched on a shield with vertical stripes. The words "UNITED STATES DISTRICT COURT" are written in a circle around the eagle, and "SOUTHERN DISTRICT OF OHIO" is written at the bottom.



UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer JEREMY STEWART, am and have been employed by the DAYTON POLICE DEPARTMENT since 2014. Among other duties, I am currently the assigned handler of narcotics detection canine "WESTON" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Marijuana, Cocaine, Methamphetamine, and Heroin

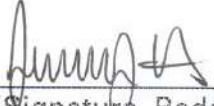
On 10/20/23, at the request of Postal Inspector TFO Humphrey, I responded to the Dayton Police Department, where "WESTON" did alert to and indicate upon:


USPS Priority Mail Tracking # 9505 5145 3008 3291 4908 29

**TO: 117 Valley View DR
Dayton Ohio 45405**

**FROM: Jon Wilson
512 Taft CA
5th st 93268**

Which, based upon my training and experience and that of "WESTON", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

 28948 10-20-23
(Signature, Badge #, and Date)

 28310 10/20/23
(Witness/Date)